

# **BOROUGH OF WATCHUNG**

## **MINUTES**

**SEPTEMBER 8, 2011 - 7:30 P.M.**

**MAYOR'S STATEMENT:** Mayor Gerald Mobus called the meeting to order at 7:31 PM and made the following statement: Under the provisions of N.J.S.A.10:4-6 et seq., notice of the time and place of this meeting was given by way of annual notice to the Courier News, Echoes Sentinel, and Star Ledger, and posted at Borough Hall.

### **SALUTE TO THE FLAG and a MOMENT OF SILENCE FOR OUR TROOPS**

### **ROLL CALL**

Joren [ P ] Black [ P ] Franklin [ P ] Pote [ A ] Nehls [ P ] Cassidy [ P ]

Also present were Administrator Tom Atkins, Attorney Albert Cruz, and Clerk Michelle DeRocco. Although not present at roll call, Councilman Pote arrived at 8:27 P.M.

There were 7 members of the public present.

### **REPORT OF STANDING COMMITTEES:**

1. Administration & Finance - Councilman Franklin announced that the due date for the 2011 3<sup>rd</sup> quarter taxes has been extended to September 12<sup>th</sup>, in an effort to assist those homeowners who were affected by Hurricane Irene. He said that most of the Borough's revenue is received in the fall, and noted the insertion of several grants into the budget, as listed on the agenda. Mayor Mobus said several residents expressed their appreciation of the tax payment extension.

2. Police - Councilwoman Joren said she would defer to Lt. Cina who will report on Hurricane Irene activities.

3. Public Works - Councilman Nehls reported on the steps taken by Public Works to prepare for Hurricane Irene's arrival. He said Assistant Engineer Arlene McCoy authorized the lowering of the two lakes and was on-site observing the levels throughout the hurricane. Councilman Nehls said the Public Works employees were on call, and most stayed at the fire house. He said Emergency Management Coordinator Gary Greves reported approximately 9.7" of rain fall. Councilman Nehls announced he attended a meeting yesterday with residents of a portion of Johnston Drive, who are eligible for a sanitary sewer project that would be assessed to them, however, at a low percentage rate of 1% over a 20 year period.

4. Buildings and Grounds; Recreation - Councilwoman Cassidy reported the Buildings and Grounds department was busy tending to the hurricane aftermath, and offered a personal thank you to Bob Burns and Fire Chief Skip Bell who came to her aid when a tree fell on her house and tore up her gas line. She said the Borough is so lucky to have such dedicated volunteers and she is thankful she lives in Watchung. Councilwoman Cassidy attended a Recreation Commission meeting and reported the attendance at the Summer Camp program was discussed, and also the condition of the tennis courts after the hurricane. She reminded all that the 911 Memorial Service scheduled for Sunday will be held inside at Bayberry School if the weather does not cooperate.

5. Public Affairs - Councilman Nehls announced Louise Lindenmeier will be appointed tonight to the Board of Health, and the Board will be meeting on September 21<sup>st</sup>. He announced the Borough will be commemorating the 10<sup>th</sup> anniversary of 911 on September 11<sup>th</sup>, at the Village Green. He said the piece of steel from the World Trade Center will be on display, and thanked Sara Beth Joren for her assistance. Mayor Mobus said he has been invited to attend the Rotary Club's luncheon on Tuesday, and the Rotary intends to make a donation towards the construction of our new 911 memorial, however, he will not be able to attend and Councilwoman Joren will attend on behalf of the Borough.

6. Fire - Councilman Black reported on the Green Brook Flood Control Commission meeting he recently attended and said there were many angry flood victims from Irene, all who shared their sad stories, complaints, and many who have lost homes. He said the Army Corps of Engineers were represented and said they feel they have been doing an adequate job. Councilman Black said this has been a long and tedious project and now the current plans may not be viable. He said he will continue to keep everyone updated. Councilman Black said the storm was quite a challenge for our emergency service volunteers; however, they persevered above and beyond the call of duty. He said he can't thank them

enough. He said he attended a Fire Committee meeting and a company named Fiber Tech gave a presentation on how they could make our phone lines more efficient. Councilman Black deferred to Fire Chief Skip Bell and OEM Coordinator Gary Greves for a report on Hurricane Irene.

7. Laws/Ordinances - In Councilman Pote's absence, Councilman Franklin reported the Laws & Ordinance Committee is reviewing the tree ordinance and considering some revisions at the request of the Environmental Commission. At their last meeting, Arlene McCoy provided insight as to the enforcement of the ordinance. He said the Committee plans on taking a tour of neighborhoods, to investigate Mr. Ruck's concerns regarding house-size restrictions, brought up at the last Council meeting.

#### **REPORTS - OTHER:**

8. Engineer – No report was presented.

9. Police Chief - Lt. Cina reported during the storm, the Police Department spent a lot of time guarding downed wires that may have been "hot." He said he couldn't be working with a better group of people. He said Gary Greves and Chief Bell went door to door to check on residents, and when the generator at Police Headquarters failed, Paul Ost and Mike Lewis assisted in getting them up and running. Lt. Cina noted for a time, when our phones were down, our Department had to work out of Warren. Mayor Mobus added that Officer Mike Bouchard and Assistant Fire Chief Tom Carlucci both provided much needed assistance, and that overall the complaints received were minimal.

10. Fire Department - Fire Chief Skip Bell reported the Department started to prepare for the storm the night before and did perform a water rescue during the hurricane, in addition to assisting Green Brook with a stranded Public Works vehicle. He said the storm resulted in many downed wires and flooded basements. He said the Department provided assistance to the Road Department where possible and spent the after days guiding Public Service to the crucial areas. Chief Bell said the Stonegate area of Watchung, serviced by Jersey Central Power and Light, was the last to have their power restored. He noted that when power is down, many residents will not receive the "reverse 911" messages because their house phones will not work, and suggested that people sign their cell phone numbers up. Mayor Mobus thanked all the Borough's emergency service departments and said all did an excellent job. He said throughout the storm he was informed and kept up-to-date, and also thanked Assemblyman Bramnick who offered his assistance and was instrumental in our operations, particularly with the utility companies. He said Gary Greves worked up a contingency plan, and after hearing all the horror stories today from other towns at a meeting with Governor Christie, he said he was very proud. Gary Greves provided a time line of the events, and said the High School and the Somerset Hills YMCA provided their facilities for showers, phone charging, and other amenities.

11. Rescue Squad – No report was presented.

12. Attorney – Mr. Cruz had nothing to report but said he had two items for discussion in Executive Session.

13. Administrator - Administrator Atkins said he has worked in three towns, and none of them would have done better than here in Watchung. He said the efforts of all departments during and after the storm were unified. He said he attended a JIF meeting this morning and reported they are reviewing billing options, however, discussions are preliminary.

Mayor Mobus said he received a call from Watchung Hills Regional High School requesting permission for their cross-country team to train around Watchung Lake while their track is being repaired. After discussion, it was the consensus of the Council to grant permission upon receipt of a certificate of insurance, assurance that the students stay on the walkway, and are supervised.

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#### **UNFINISHED BUSINESS**

A Public Hearing on Proposed Ordinance OR:11/12 entitled "AN ORDINANCE ACCEPTING A DEED OF DEDICATION FOR A PORTION OF PROPERTY LOCATED AT 404 JOHNSTON DRIVE AND KNOWN ON THE TAX MAPS OF THE BOROUGH OF WATCHUNG AS BLOCK 54.02, AND PART OF LOT 12 TO THE BOROUGH OF WATCHUNG." was held. Councilman Pote moved a public hearing be held with a second by Councilman Nehls and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye."

With no one from the public desiring to be heard, Councilman Pote closed the public hearing.

Councilman Pote offered R1:09/08/11, Councilman Black seconded the motion, and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy "aye." Councilman Pote directed the Clerk to publish the notice of adoption.

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**NEW BUSINESS**

**CONSENT AGENDA:** The Consent Agenda listed below was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls, and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, “aye”.

Approval of the following Council minutes:  
August 18, 2011

Acknowledging Receipt of the following Borough Reports:  
Finance Department Revenue Report - July, 2011

Acknowledging Receipt of the following Correspondence:

- #55 - Jersey Central Power & Light 8/16/11 Notice of Filing and Public Hearings - Annual Universal Service Fund compliance and Provision of Basic Generation Service c: M & C, TEA, Post
- #56 - PSE&G 8/23/11 Notice of Filing and Public Hearings - Basic Generation Service Charges c: M & C, TEA, Post
- #57 - Bd. Of Chosen Freeholders 8/31/11 Notice of Ordinance and Public Hearing scheduled for September 13, 2011 that will establish speed limits for both directions of traffic along Somerset Street, County 531, at 35 MPH c: M & C, TEA, TW, JC
- #58 - Plainfield Area Regional Sewerage Authority 8/12/11 Resolution appointing the firm of Murphy Hubner McKeon, P.C. to serve as legal counsel to the Authority c: M & C, TEA, AC

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**CONSENT AGENDA RESOLUTIONS:** The Consent Agenda resolutions listed below was unanimously accepted, following a motion by Councilwoman Joren, a second by Councilman Nehls, and upon roll call as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, “aye”.

R2:09/08/11 Supporting the National Moment of Remembrance of the 10th Anniversary  
of September 11th

R3: Appointment of Board of Health Member / Alternate - Louise Lindenmeier

R4: Endorsing and supporting the Planning Board’s adoption of the  
Re-examination and Development Regulations and Amendment to the  
Land Use Element of the Master Plan

R5: Waive Chapter 2-25.10 and Authorize Purchase Over \$2,000. - Sparta Tire

R6: Insertion of Special Item of Revenue to Budget - Alcohol Education, Rehabili-  
tation and Enforcement Grant /  
\$1,078.69

R7: Insertion of Special Item of Revenue to Budget - Clean Communities Grant /  
\$11,607.75

R8: Insertion of Special Item of Revenue to Budget - Recycling Tonnage Grant /  
\$14,838.93

R9: Insertion of Special Item of Revenue to Budget - Youth Services Competitive Grant  
\$3,000.00

R10: Insertion of Special Item of Revenue to Budget - Youth Services Grant / \$5,000.00

R11: Authorize Chief Financial Officer to Cancel Outstanding Checks

R12: Authorize Return of Escrow - As listed

R13: Designating Mayor as Authorized Representative - State of NJ / Grants and/or Loans

- R14: Purchases Over \$2,000. - New Jersey Fire Equipment Co.
- R15: Authorize Renewal Agreement (5 year period) - Morris County Co-op
- R16: Authorize Appointment of Municipal Housing Liasion - Thomas E. Atkins
- R17: Authorize Extension of Due Date - 3rd Quarter 2011 Taxes / September 12, 2011

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**NON-CONSENT AGENDA:** Items listed below will be individually addressed and acted upon accordingly. Council reserves the right to refer an item to Committee for further review and discussion.

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**NON-CONSENT AGENDA RESOLUTIONS**

R18:09/08/11 Executive Session: Attorney-Client Privilege  
Potential Litigation - Borough of Watchung v. Public Service  
Electric & Gas Company

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**PUBLIC PORTION**

No one from the public desired to be heard.

Council President Joren offered R18:09/08/11 authorizing an executive session, with a second by Councilman Black and upon roll call the vote was as follows: Joren, Black, Franklin, Pote, Nehls, Cassidy, "aye".

Upon return to regular session at 10:39 PM, all members previously present were again in attendance.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned to the call of the Chair and the next scheduled meeting to be held at 7:30 P.M. on Thursday, September 22, 2011.

Respectfully submitted,

Michelle DeRocco, RMC  
Clerk